COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: February 2, 2012

OFFICE CORRESPONDENCE FILE NO. IV2298218
SH2258394
FO2294265

FROM: JOSEPH S. HARTSHORNE, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: JOSEPH B. NUÑEZ, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS USE OF FORCE**

The purpose of this memo is to notify you of the Review Committee's findings and recommendations concerning the use of force incident which occurred on December 21, 2010.

The Committee met on January 31, 2012, and consisted of Commander Joseph Hartshorne, Commander Michael J. Rothans and Commander Anthony La Berge.

The Committee deemed:

- as **Founded** the allegation that Deputy Paul R. Parkhurst #[redacted] violated the Department's Manual of Policy and Procedures, Section 3-01/050.10 Performance to Standards), on or about December 21, 2010, he failed to properly perform his duties and/or failed to perform his duties in a manner which will tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department and/or failed to conform to work standards established for his position, as evidenced by but not limited to:

  a) During the planning stages of serving a search warrant, he was assigned to complete a RIB sheet and he failed to adequately and/or thoroughly complete it, affecting the operation planning and service of the search warrant.

The Committee recommended that Deputy Paul R. Parkhurst #[redacted] receive a Written Reprimand.

JSH:RSP/rsp

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
A Tradition of Service

DATE: February 13, 2012
FILE NO:

OFFICE CORRESPONDENCE

FROM: JOSEPH S. HARTSHORNE, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: JOSEPH B. NUÑEZ, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	SH2279155 / FO2294265 / IV2298218
Incident:	Hit Shooting Use of Force
Incident Date:	December 21, 2010
Unit:	Lancaster Station / FOR1
Suspect:	Barrett, Chris M/44
Involved Employee:	Deputy Paul R. Parkhurst #[redacted]
EFRC Date:	January 31, 2012

On January 31, 2012, the Executive Force Review Committee consisting of Commander Joseph Hartshorne, Commander Anthony La Berge, and Commander Michael Rothans met and reviewed the above case.

FINDINGS:

The Committee determined the force used by Deputy Parkhurst was objectively reasonable and in compliance with Department Policy. The Committee also determined the tactics used by Deputy Parkhurst were sound and within the scope of Department training.

IV2298218
(FO2294265/SH2279155)

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INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY
ON-DUTY USE OF FORCE/HIT SHOOTING
IAB #IV2298218
(FO2294265/SH2279155)

URN: 010-27197-1181-013
DATE / TIME: Tuesday, December 21,1750 hours
LOCATION: [redacted] Agave Street, Lancaster, California, 93536
SUBJECT: Chris Walter Barrett MW/44 (Deceased)
PERSONNEL: Sergeant Randall Harris #[redacted] Deputy Paul Parkhurst #[redacted]

On October 4, 2011, the Executive Force Review Committee, which consisted of Commanders Joseph Hartshorne, Jacques La Berge, and Michael Rothans, reviewed the narcotics search warrant and the use of force documented in IAB #FO2294265 and SH2279155. The committee requested additional information regarding the sequence of events leading up to the search operation and requested an administrative investigation in order to conduct necessary interviews (IAB #IV2298218). The committee delayed its final findings regarding the use of force until the administrative investigation is concluded.

*The following statements are summarized. Precise wording may be obtained by reviewing the digitally audio recorded interviews located in the IAB audio files and/or the verbatim transcripts listed under the **Transcriptions** section of the casebook.*

INVOLVED EMPLOYEE STATEMENTS:

Subject Sergeant Randall Harris

Sergeant Randall Harris was interviewed on October 20, 2011, by Internal Affairs Bureau Sergeants Sonja Bracken and Scott Graham. The following is a summary of the interview, which was digitally audio recorded.

Sergeant Harris said on December 21, 2010, his Lancaster Community Appreciation Program (LANCAP) Team briefed twice prior to the service of the narcotics search warrant that evening. The first briefing was at approximately 1000 hours and was conducted at Lancaster Station. The team discussed the initial planning and tactics, order of their entry line up, and less lethal assignments that they were going to use for the search warrant. They discussed the presence of a video surveillance camera and a large breed dog at Suspect Barrett's residence.

They also discussed how they were going to monitor Suspect Chris Barrett's neighborhood, conduct a traffic stop on him, and then return to execute the search warrant at his residence. Sergeant Harris said he wanted to conduct the search warrant that manner due to Suspect Barrett's size, his white power ties, and he felt it would be safer for the team. He said this search warrant was not something that was done in haste. His team conducted surveillance, and investigated Suspect Barrett for weeks prior to the service of the search warrant.

Sergeant Harris said the second briefing was at approximately 1700 hours at the Quartz Hill Substation. Deputies Paul Parkhurst and Joseph Mesa had surveilled Suspect Barrett's home all day, waiting for him to go mobile. The second briefing was held to discuss their options on serving the search warrant. Sergeant Harris said he felt since Suspect Barrett appeared to be home alone all day, and he was seen sitting in the front kitchen window with all the lights on inside his residence, his team could use the cover of darkness to approach and serve the warrant safely.

Additionally, at the second briefing, it was discussed that if Suspect Barrett decided to flee, the last two team members on the entry team were going to break off to the west and make their way to the rear of the location. Sergeant Harris felt that his team was comprised of very active, fit, young deputies that could get to the rear of the location quickly, if necessary. As previously stated in his IAB interview, Sergeant Harris reiterated his plan on having all of his team at the front of the target location. His team was aware of Suspect Barrett's steeply sloped rear yard, the layout of the neighborhood, and felt they could contain the area without any problems, if that situation arose. He felt that the bigger danger would be a confrontation with Suspect Barrett in the front of the location, due to his age, size, and his Aryan Brotherhood ties.

> **IAB Note: According to Deputies Claudia Rissling's and Jose Martinez' Homicide interviews, they both stated that immediately after Suspect Barrett slammed the front door on the entry team, they proceeded to the west side in an attempt to gain access to the rear yard of the location, and contain Suspect Barrett.**

Sergeant Harris said his team normally assigns deputies on the rear containment when serving previous search warrants. This particular situation was a rare occasion where they did not have a designated rear containment. He said his team had used this type of tactic in the past. Sergeant Harris said since this incident, he has learned and will probably always have a rear containment when executing search warrants.

Sergeant Harris affirmed that he reviewed and signed the search warrant checklist. He acknowledged the presence of surveillance cameras at Suspect Barrett's residence. On the search warrant checklist page two, question number six, he acknowledged that the answer should have been checked "yes." On page two, question number seven, the question specifically referred to guard dogs. Sergeant Harris said his team had knowledge of a dog at Suspect Barrett's residence, but had no knowledge that it was specifically a guard dog. He recognized a guard dog to be a dog that was specifically trained to be aggressive. He had no knowledge if Suspect Barrett's dog was specifically trained to be a guard dog. He added that on approximately seventy percent of the search warrants his team had served, they encountered dogs; Of those, he estimated that forty percent had aggressive dogs.

On page two, questions eight and nine of the checklist, Sergeant Harris did not consider Suspect Barrett a potential third strike candidate based on a check of his criminal history. A check of the Consolidated Criminal History Report System (CCHRS) [redacted] Suspect Barrett's CCHRS did not show that he was a "potential felony strike" candidate, which is usually indicated on many other people's criminal history print outs. He did not have any knowledge that Suspect Barrett had any weapons at his residence from the confidential reliable informant (CRI) used in this situation or from any other source.

> **<u>IAB Note:</u> For further details on Suspect Barrett's criminal history , refer to his CCHRS and RAPS print outs, EXHIBIT D.**

Sergeant Harris said he was comfortable with this search warrant being in the moderate risk category. He would have changed the search warrant checklist, page two, number six to answer "yes" but he would not have consulted with The Special Enforcement Bureau (SEB) just based on that question alone. He admitted that he has learned from this incident and consults with SEB more often when preparing search warrants. Sergeant Harris said he did not minimize this particular search warrant to circumvent anything, in order for his team to serve the warrant. He said being a sergeant, his first priority is to keep his team safe. He said the last thing he would want to do is be responsible for getting one of his deputies or the public hurt.

Sergeant Harris said the search warrant checklist was not completed based on the initial plan of conducting a traffic stop on Suspect Barrett. The risk factors were assessed and completed just as any other narcotics search warrant checklist. He said either way, his team would be going to serve the search warrant on the residence.

Sergeant Harris said his team lieutenant at the time of this search warrant was Lieutenant Donald Downton. Lieutenant Downton normally reviewed and signed all of the search warrant checklist and Operations Plans. He said Lieutenant Downton reviewed the search warrant checklist on this occasion but did not sign it because he was not sure what date the LANCAP team was actually going to serve the warrant. Sergeant Harris said Lieutenant Downton was made aware that his team was going to execute the warrant on that day (December 21, 2010), as they were conducting their second brief at the Quartz Hill Substation.

Sergeant Harris said on the morning of December 21, 2010, he briefed and assigned a deputy to the stun bag on this search warrant. Unfortunately, during the time of the search warrant, later that evening, the team discovered that someone had borrowed their stun bag and did not return it to their teams' patrol car. Sergeant Harris said he was expecting to have all of his normal equipment: two tasers, a stun bag, AR-15 rifle, and a shotgun accessible at the time of this search warrant. He expected that if one of his deputies tells him he has all of his equipment, then that deputy has his equipment. He had never had that type of problem with missing equipment in the past, so he had no reason to doubt his deputy. He said since the date of this incident, he personally inspects all the teams' equipment to make sure it is accounted for.

Sergeant Harris said once his team made entry into Suspect Barrett's residence and learned that Suspect Barrett was in the rear yard, a protective sweep was conducted. He knew that he had two deputies on the roof relaying Suspect Barrett's location. Once he heard those deputies advise that Suspect Barrett had moved to the rear yard of the [redacted], he immediately began directing his team to contain the two yards. He also began forming an arrest team. At that point, Sergeant Harris said he did not have enough deputies to hold the target location and not allow Suspect Barrett access back into his own home.

Sergeant Harris said there was no exigency to execute the search warrant on that date. He felt with the circumstances (Suspect Barrett being home alone, the well lit residence, and the element of surprise with it being dark outside), he felt that it was a safe option to serve the warrant that evening.

Sergeant Harris said he has always taken search warrants seriously. He has always been thorough and has never taken any shortcuts in preparing for search warrants. Based on this incident, he now slows down even more and triple checks all search warrant paperwork as well as visually inspects all equipment to make sure his team is ready to execute a search warrant.

> **IAB Note: For further details refer to the EXHIBIT B; (Search Warrant Preparation Checklist, Search Warrant Affidavit and Operations Plan).**

Subject-Deputy Paul Parkhurst

Deputy Paul Parkhurst was interviewed on October 21, 2011, by Internal Affairs Bureau Sergeants Sonja Bracken and Scott Graham. The following is a summary of the interview, which was digitally audio recorded.

Deputy Parkhurst said on December 21, 2010, he and his LANCAP team had a basic briefing about making a traffic stop on Suspect Barrett. They discussed their contingencies, radio frequencies, rally points, and entry team lineup. Information about Suspect Barrett's dog was briefed and was based off of pictures that Deputy Parkhurst saw on "MySpace." He had no other information from the confidential informant or during his surveillance of Suspect Barrett's residence that indicated any signs of a guard dog. Deputy Parkhurst said they also discussed the presence of a camera on Suspect Barrett's residence but he could not recall the location of the camera. They had no information whether or not the camera was operational.

Deputy Parkhurst said during a second briefing at the Quartz Hill Substation, at approximately 1700 hours the same day, they discussed the change of plans to do a hard entry on Suspect Barrett's residence.

Deputy Parkhurst confirmed that he completed the search warrant checklist, which was reviewed and signed by Sergeant Harris. He confirmed that he had knowledge of the camera at Suspect Barrett's residence and that it was an oversight on his part that he did not check "yes" for page two, question number six of the Search Warrant Checklist. On question number seven of the checklist, he maintained that he had no reason to believe the dog at Suspect Barrett's residence was a guard dog, therefore he checked "no."

Deputy Parkhurst said when he ran Suspect Barrett's criminal history, via CCHRS and Regional Allocation of Police Services (RAPS), there was no indication that he was a third striker. [redacted] with Sergeant Harris and Deputy Joseph Mesa. They determined, based on the time frame of those crimes, Suspect Barrett did not fit the criteria for having a violent criminal history. His most recent arrests were for narcotics and driving under the influence. Suspect Barrett's criminal history print out did not show "potential felony strike" as indicated on many other people's criminal history. Suspect Barrett also did not have any weapons charges on his criminal history.

Deputy Parkhurst said he did not minimize any of the threats on the Search Warrant Checklist in order to avoid calling The Special Enforcement Bureau (SEB) or to ensure that his team could execute the search warrant. He said the Search Warrant Checklist was not minimized and completed for purposes of strictly doing a traffic stop on Suspect Barrett.

Deputy Parkhurst could not recall exactly where he was positioned while in front of the front kitchen window at the time of the shooting. He could not recall if he was inside the planter, right at the window, or on the walkway. He recalled that the kitchen window had already been ported by Deputy Bowser and he was able to use the shotgun to further break out the center of the window. He said the walkway had an approximately four foot tall fence that was padlocked and that he and his team had to climb over it to access Suspect Barrett's front yard. When Suspect Barrett moved to the rear yard of residence to the [redacted] ([redacted]), Deputy Parkhurst had to climb over the padlocked fence in an attempt to contain him. Once Suspect Barrett returned inside his own residence, Deputy Parkhurst again had to climb over the padlocked fence to get into a position to observe him through the front kitchen window.

IAB Note: For pictures depicting the fenced front yard; Sergeant Harris', Deputy Ruiz' and Deputy Parkhurst's positions, refer to EXHIBIT C.

Once Suspect Barrett threw the first knife towards deputies at the front kitchen window, Deputy Parkhurst said he ducked, and within a second was able to come back up on target with the shotgun. He felt he did not have time to move in any direction, with the padlocked fence immediately to his left side and Sergeant Harris and Deputy Miguel Ruiz to his right side. He said he would have had to either jump or fall over the fence in order to avoid the knives being thrown by Suspect Barrett.

Deputy Parkhurst said as he was positioned at the front window, he was aware that two of his team members were trying to make entry into Suspect Barrett's front door. Deputy Parkhurst said if those team members would have entered the front door, Suspect Barrett would have been three steps from either attacking them with knives or throwing knives at them. He did not back out of his position at the kitchen window because he did not want to lose visual on Suspect Barrett. He did not feel that any of his team members would have been able to cover Suspect Barrett if he left his position. He also did not want to take the chance of being stabbed in his back by a knife thrown by Suspect Barrett.

Deputy Parkhurst said his mindset just before he fired the shotgun was that Suspect Barrett would have hit him with the knife. He felt that where he was positioned, he was face-to-face with Suspect Barrett and that it was his intention to hit him with the knife. He said Suspect Barrett was focused on the barrel of the shotgun and the light attached to it. Based on this, it was his opinion that Suspect Barrett was directing all his throws toward him.

He saw Suspect Barrett pulling knives from a butcher block that had several more knives in it, so it did not appear to him that Suspect Barrett was going to surrender. Suspect Barrett seemed content on throwing knives at them, so he wanted to stop the threat to himself and his team members.

SH2279155/FO2294265

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Los A[illegible]geles County Sheriff's Dep[illegible]tment

Officer Involved Shooting

Report Date: 08/15/11	Bureau/Station/Facility: Lancaster Station	Admin. Invest.? ☐ Hit? ☒

Incident Information

URN: 010-27197-1181-013	Date: 12/21/10 Time: 1750 hours
City or Station: Lancaster (Quartz Hill)	Nature of Incident: Lancaster Community Appreciation Program (LANCAP) Team served a narcotics search warrant at the location. Suspect Barrett was uncooperative, belligerent and quickly progressed to an assaultive high risk threat by throwing knives at deputies. Deputy Parkhurst fired two shots from a department shotgun stopping the threat.
Location: [redacted] Agave Street	

Location Type (circle one or more):	Lighting (circle only one):	Incident Type (circle one or more):	Initiated by (circle only one):
Backyard	Darkness	Accidental	Arrest Warrant
Beach	Daylight	(Armed Person) circled	Call
Business	Other	Fleeing Suspect	Observation
Freeway	Street Lights	Foot Pursuit	One Person Unit
Industrial	**Weather (circle only one):**	Gun Take Away	Other
Park	Clear	Moving Vehicle	(Search Warrant) circled
Parking Lot	Cloudy	Sniper/Ambush	Two Person Unit
(Residence) circled	Fog	Startle	**Prior Activity (circle only one):**
Rural	(Rain) circled	Struggle Involved	Detective
School		Traffic Stop	Inmate Transport
Street	Distance: 6-8 Feet	Unarmed Person	(Other) circled
Other: ______		Unintentional	Routine Patrol
Total # of Shots Fired by Deputy: 2	Total # of Shots Fired by Suspect: N/A	Vehicle Pursuit	Aero Unit? ☐ Canine Unit? ☐
		(Warrant Service) circled	
		Warning Shot	
		Other: ______	

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (circle only one):	ShiftType (circle only one):
[redacted]	Harris	Randall	D.	EM PM (Day)	(Regular) Overtime Off Duty
[redacted]	Ruiz	Miguel	T.	EM PM (Day)	(Regular) Overtime Off Duty
[redacted]	Mesa	Joseph	P.	EM PM (Day)	(Regular) Overtime Off Duty

Non-Employee Witnesses

Last Name: [redacted]		First Name: [redacted]		M.I. [redacted]	
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: [redacted]	Home Ph: [redacted]	
Last Name: [redacted]		First Name: [redacted]		M.I. [redacted]	
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: [redacted]	Home Ph: [redacted]	
Last Name		First Name		M.I.	
Street Address	City	Zip Code	Work Ph	Home Ph	

Supervisors

Employee #	Last Name	First Name	M.I.	(circle one or more):
[redacted]	Harris	Randall	D.	On Duty; (Present during shooting) circled; (Witness to shooting) circled; Involved in shooting
				On Duty; Present during shooting; Witness to shooting; Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Whalen	Thomas	P.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Diez	Justin	R.

PSTD Use Only
SH # ______

Officer Involved Shooting

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
12/21/11	2130 hours	08/15/11	

Employee #	Last Name	First Name	M.I
[redacted]	Bracken	Sonja	M.
[redacted]	Rossi	John	E.
[redacted]	Fredericks	Stefanie	R.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	UC					NN	
S#1	E#1	RS					NN	
S#1	E#1	OE					NN	
E#1	S#1	FS	RM	12	Y	Y	DH	CH

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 010-27197-1181-013

Involved Employee

E 1

Employee # [redacted]	Last Name: Parkhurst	First Name: Paul	M.I.: R.
Sex: M Race: White	Rank: Deputy Sheriff	Unit Assignment: Lancaster	Work Assignment (Unit #, Module, etc.): LANCAP TEAM
ShiftTime (*circle only one*): EM **PM** Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted] Height: 600 Weight: 192			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] / Number of Prior Shootings: [redacted] / Directed Force: [redacted]
Weapons Fired Brand: Remington	Caliber: 12 gauge	# Shots: 2	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ / Number of Prior Shootings: / Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ / Number of Prior Shootings: / Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 010-27197-1181-013

Suspect Information

S 1

Last Name: Barrett	First Name: Chris	M.I. W.
AKA Last Name:	First Name:	M.I.

Sex: M Race: White	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 44 D.O.B. 01/17/66	Height: 601 Weight: 265	FBI # [redacted]	CII # [redacted]
Booking # N/A	Primary Charge: N/A	Secondary Charge:	
Coroner Case? ☒	Coroner Case # 2010-08445	Intoxication/Drug Usage? ☒	Substance Used: Methamphetamine
Armed? ☒	Apprehended? ☒	Mental Illness? ☒	Criminal History? [redacted]
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Gonzales III	Robert	C.	501 W. Lancaster Boulevard, Lancaster, California	93534	661 948-8466	Use Business
Scott	Christian	T.	501 W. Lancaster Boulevard, Lancaster, California	93534	661 948-8466	Use Business
Grimes	Nathan	D.	501 W. Lancaster Boulevard, Lancaster, California	93534	661 948-8466	Use Business
Rissling	Claudia	L.	501 W. Lancaster Boulevard, Lancaster, California	93534	661 948-8466	Use Business
Martinez	Jose	J.	501 W. Lancaster Boulevard, Lancaster, California	93534	661 948-8466	Use Business

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

DEPUTY INVOLVED HIT SHOOTING

UNIT: Lancaster Community Appreciation Team (LANCAP)
DATE: December 21, 2010, Tuesday
TIME: 1750 hours
LOCATION: [redacted]Agave Street, Lancaster, Ca. 93536
URN#: 010-27197-1181-013
IAB#: SH2279155/FO2294265

On the above date and time, Lancaster Station's, LANCAP Deputy Paul Parkhurst was involved in a shooting with Suspect Chris Barrett. The suspect was shot when he threatened deputies with butcher knives. Sergeants Sonja Bracken, John Rossi, and Lieutenant Stefanie Fredericks responded to the Quartz Hill area command post and later to the scene.

Members of the Lancaster Community Appreciation Program (LANCAP) were at the location in order to serve a narcotics related search warrant. The suspect could be seen sitting by the front dining room window using a computer. Knock and notice was made and the suspect opened the inner wood door while leaving the metal, outer security door locked. The suspect was immediately hostile, yelling profanities and stating that he would kill deputies and they would have to kill him. The suspect slammed the wood door shut and ran into the kitchen. He picked up a chair and threw it at the front dining room window, breaking it. The suspect then ran to the rear of the residence.

Deputies breached the front door and the suspect jumped out of a rear window and into the rear yard. While in the rear yard, the suspect retrieved a large dog and unleashed it to attack deputies who were containing the yard. The dog charged one of the deputies, and it was shot twice by the deputy. The wounded dog remained aggressive and the deputy deployed the taser on the dog.

As this was occurring, the suspect jumped over the backyard fence and into the rear yard of the property east of the location. The suspect ran into a shed, exited the shed, and then jumped back over the fence, to his own property. He then ran back into his residence.

As deputies were outside containing the suspect's residence, the suspect re-appeared in the kitchen. He continued to threaten to kill deputies and challenged them to kill him. He was frothing at the mouth. Deputy Parkhurst, Deputy Miguel Ruiz and Sergeant Randall Harris took a position on the walkway in front of the dining room window the suspect had previously broken-out. While still in the kitchen, the suspect retrieved two large butcher knives from the kitchen counter and held each in one hand. He held them up at his shoulders while threatening to kill Deputy Parkhurst, Deputy Ruiz and Sergeant Harris. The suspect then threw one of the knives at a high velocity toward Deputy Parkhurst, Deputy Ruiz and Sergeant Harris, trying to throw it through the hole in the broken window. The knife missed the hole and fell to the floor. While still holding the remaining knife in his hand, the suspect reached onto the kitchen counter with his free hand and retrieved another butcher knife. Fearing that the suspect was going to attack again, Deputy Parkhurst fired his shotgun at the suspect. After two shots, the suspect collapsed on the kitchen floor.

The suspect sustained multiple shotgun pellet wounds to his upper torso. LANCAP deputies administered first aid to the suspect to no avail. He was pronounced dead at the scene.

A butcher knife was recovered next to the suspect's body on the kitchen floor, another butcher knife was recovered on the kitchen floor, and a third butcher knife was recovered from the floor underneath the dining room window. A "fantasy" style knife was recovered from the kitchen counter, along with a butcher block full of kitchen knives. Two expended 12 gauge shot shells were also recovered from the kitchen. An expended .45 caliber casing was recovered from the backyard where the dog was shot. Assisting units arrived and the deputies were removed from the scene.

> **IAB Note:** Internal Affairs Bureau Lieutenant Stefanie Fredericks checked to see that the Watch Commander, Sergeant Justin Diez, took reasonable steps to ensure that the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, and that the involved and witness personnel did not collectively consult with their attorney or representative. In addition, Internal Affairs Bureau Lieutenant Fredericks checked to see if the Watch Commander attempted to have involved and witness personnel gather in the company of a supervisor (Sergeant Randall Harris) until they have provided a statement to the assigned investigators.

> **IAB Note:** The summary of this incident is based on physical evidence collected at the scene by Los Angeles County Sheriff's Department Crime Lab personnel, IAB investigator's observations, as well as information obtained from the original crime report, supplemental reports, operations plan and search warrant along with interviews of the involved employees and witnesses (*Refer to* ***Exhibits A through C***).

INVOLVED PERSONNEL

[redacted] Deputy Sheriff, #[redacted]
Field Operations Region I
Lancaster Station, [redacted]

Work History

Date of Employment: 12/29/2000
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

PARKHURST, Paul- Deputy Sheriff, #[redacted]
Field Operations Region I
Lancaster Station, LANCAP Team

Work History

Date of Employment: 04/17/06
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

SUSPECT

BARRETT, CHRIS MW/011766
[redacted]

SWORN WITNESSES

HARRIS, Randall, Sergeant, #[redacted]
Field Operations Region I
Lancaster Station, LANCAP Team

RUIZ, Miguel, Deputy Sheriff #[redacted]
Field Operations Region I
Lancaster Station, Antelope Valley College-Team Leader

MESA, Joseph, Deputy Sheriff, #[redacted]
Field Operations Region I
Lancaster Station, LANCAP Team

GONZALES, Robert, Deputy Sheriff, #[redacted]
Field Operations Region I
Lancaster Station, LANCAP Team

SCOTT, Christian, Deputy Sheriff, #[redacted]
Field Operations Region I
Lancaster Station, LANCAP Team

GRIMES, Nathan, Deputy Sheriff, #[redacted]
Field Operations Region I
Lancaster Station, LANCAP Team

RISSLING, Claudia, Deputy Sheriff, #[redacted]
Field Operations Region I
Lancaster Station, LANCAP Team

MARTINEZ, Jose, Deputy Sheriff, #[redacted]
Field Operations, Region I
Lancaster Station, LANCAP Team

CIVILIAN WITNESSES

[redacted] MW/120877, [redacted]

[redacted] FW/050579, [redacted]

INJURIES

No deputies were injured during this incident.

Suspect Barrett sustained nine gunshot (pellet) wounds (Refer to **Exhibit A,** Homicide Book, pages 134-153 for the Autopsy Report).

PHYSICAL EVIDENCE

Physical evidence related to the crime scene, collection of evidence (Refer to **Exhibit A**, Homicide Book, pages 36 - 56) and crime scene sketches (**Exhibit C)**.

INVESTIGATORS' OBSERVATIONS

Responding Internal Affairs Bureau Sergeants walked through the crime scene and noted the area had illumination from street lights. There were illuminated porch lights located at the front door of the residence. The kitchen area were the shooting took place was illuminated by interior lighting. There was nothing remarkable beyond what was reported and documented during the investigation.

WEAPONS USED BY DEPUTY PERSONNEL

Deputy Parkhurst fired two rounds from a department approved Remington, model 870 Police Magnum, 12 Gauge pump action shotgun bearing serial number LASD[redacted] utilizing department approved 12 Gauge slugs. The weapon and ammunition were found to be within specifications consistent with the Remington shotgun (Refer to **Exhibit A**, Homicide Book, pages 123-128 for firearm description).



Deputy Parkhurst was certified with the Remington shotgun on [redacted]

WEAPONS USED BY SUSPECT

Suspect Barrett was in possession of three large kitchen knives, of which one was initially thrown at the deputies. A second knife was about to be thrown when the suspect was taken down.

PROPERTY DAMAGE

Damage to the property consisted of shotgun pellet holes to the kitchen wall and southeast bedroom. There was additional damage to the location's front door and metal screen which was removed upon entry (Refer to **Exhibit A**, Homicide Book, pages 40 & 124).

CRIMINAL INVESTIGATOR/CHARGE FILED

None, suspect deceased.

LIGHTING AND WEATHER CONDITIONS

The shooting took place during night time hours. The area was described by the involved LANCAP deputies as illuminated by street lights and the residence also had the front porch light illuminated. All deputies said the kitchen area where the shooting took place was well illuminated. (Refer to **Exhibit A**, Homicide Book, pages 42, 44 & 49 regarding the lighting at the scene). The weather was rainy and crisp.

INVOLVED EMPLOYEE STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the recorded interviews and transcriptions.

Deputy [redacted]

Deputy [redacted] was interviewed at Lancaster Station in the Captain's Conference Room by Sergeant Sonja Bracken and Sergeant Scott Graham on June 28, 2011.

Deputies [redacted] said on the date of the search warrant, his [redacted] team had two briefings prior to the service of the warrant. He was assigned to the second position on the entry team. As the team approached the target location, he alerted them to the presence of video cameras on the residence. The team gave "knock and notice," the suspect opened the interior wood door and slammed the door shut. As the team was attempting to gain entry, Deputy [redacted] said he ported (diversionary tactic) the east window (which he pointed to on the crime scene photographs, it was actually the northeast window), then he also ported the northwest window. He could not see the suspect and assumed that he had ran toward the back of the residence. Deputy [redacted] remained on the westside of the residence and thought the suspect was trying to escape. He immediately went into the mind set of containing the suspect.

Deputy [redacted] said he was familiar with the neighborhood, so he knew the rear yards had elevated hills. He climbed the west fence, up onto a shed and onto the roof of the residence. These actions were not pre-planned during the two briefings prior to the service of the warrant. Deputy [redacted] took a tactical position (high ground) on the roof to better observe/contain the suspect's actions. Deputy [redacted] continuously talked to the suspect and OC sprayed him in an attempt to get him to surrender. The OC spray had no affect on him.

Deputy [redacted] said as he was on the roof, he alerted his team to the presence of the suspect's dog. When he heard gun shots from the rear yard and heard the dog yelping, he also alerted his team that the dog had been shot.

After the suspect ran from his own rear yard, into the east neighbor's rear yard and back. Deputy [redacted] lost sight of him under the eaves of the residence. He heard a team member say that the suspect was back inside his own residence. Deputy [redacted] began walking across the roof, toward the front of the residence. He heard someone yelling that the suspect had a knife. As he got to the front eave of the residence, he looked down and saw Deputy Parkhurst firing the shotgun into the window of the residence. He heard someone say the suspect was down. He then got down off of the roof and went inside the residence. He assisted with first aid until the fire department arrived. **(For further details see Deputy [redacted] transcribed interviews).**

Deputy Parkhurst

Deputy Parkhurst was interviewed at the Internal Affairs Bureau Offices by Sergeant Sonja Bracken and Sergeant Scott Graham on May 18, 2011. He was represented by Debra Wadleigh of Green and Shinee.

Deputy Parkhurst said he and his partner Deputy Mesa obtained information from a CRI that Suspect Barrett was selling narcotics from his residence on Agave Street. He and Deputy Mesa surveilled the suspect's residence periodically for approximately one month to gather intelligence for a search warrant. Deputy Mesa authored the search warrant.

> **IAB Note:** The operations plan generated for this search warrant was numbered in error. The correct number of pages is 6 of 6 (Refer to **Exhibit B**).

Deputy Parkhurst said on the date of the search warrant, his LANCAP team had two briefings prior to the service of the warrant. His assignment was the point man, first man in. He was armed with a shotgun as he normally did when conducting search warrants with the team. He said he was aware that there was a large dog at the suspect's residence. Once the team arrived at the location, they gave "knock and notice" announcements. Once they did that, the suspect opened the interior wood door, recognized that they were deputies and slammed the door closed. Deputy Grimes and Deputy Scott then began to breach the screen door with the pick and ram. He said he positioned himself on the northwest window as they breached the door and saw the suspect run to the rear of the residence.

Deputy Parkhurst said it took approximately one to two minutes for the team to gain entry into the residence. He remained outside, covering the west window, as his partners cleared the location. He then heard Deputy [redacted] on the roof of the location, yelling that the suspect was in the rear yard. He and Deputy Martinez then went to the west side of the residence. The west fence was locked so in order to get to the rear yard, he and Deputy Martinez pulled the wooden slats off of the fence. He could not see the suspect but Deputy [redacted] and Deputy Gonzales continuously relayed updates of the suspect's location from their positions on the roof. He never saw the suspect's dog but heard gunshots while he was on the west side of the residence.

Deputy Parkhurst said he was instructed by Sergeant Harris to request assistance and a unit with a stun bag via radio. Approximately three to five minutes later, he saw Deputy Ruiz arrive at the scene with a stun bag. At this point, the suspect had jumped into the neighbor's rear yard immediately to the east and went inside a shed. He said the suspect was continuously yelling profanities and making noises. He said he thought the suspect may have been arming himself.

Deputy Parkhurst said approximately two minutes later the suspect ran back to his own yard and into the rear of his residence. He said Deputy Ruiz was attempting to line up a shot at the suspect with the stun bag, as the suspect was in the kitchen. He said the suspect was given numerous commands to surrender and to put his hands up. The suspect retrieved two knives from a butcher block and threw the one in his right hand towards him, Sergeant Harris and Deputy Ruiz. The knife hit the (northeast) windowpane, fell inside the window, and to the floor. The suspect retrieved another knife with his right hand and turned towards them again.

Deputy Parkhurst said this situation escalated to life threatening once the suspect grabbed the knives in a threatening manner. He was approximately six to eight feet from the suspect, from his position outside the northeast window. Believing the suspect was going to throw the second knife that was in his left hand, fearing for his safety and that of his team members, he aimed center mass on the suspect and shot one time. He believed the first shot struck the suspect because he made a slight turn and made a grunting noise. The suspect did not fall to the ground or appear that he was going to surrender. Deputy Parkhurst said he believed the suspect was still a threat and proceeded to shoot him a second time.

At that point the suspect fell to the ground. Assisting team members entered the location and administered first aid until the fire department arrived on scene. **(For further details see Deputy Parkhurst' transcribed interviews).**

SWORN WITNESS STATEMENTS

Sergeant Harris

Sergeant Harris was interviewed at Lancaster Station in the Captain's Conference Room by Sergeant Sonja Bracken and Sergeant Scott Graham on June 28, 2011.

Sergeant Harris said his LANCAP team had two briefings prior to the execution of this search warrant. Sergeant Harris said the plan of engagement was to initially conduct a traffic stop on the suspect if he went mobile in his vehicle.

Deputies Parkhurst and Mesa had surveilled his residence for many hours and he did not leave his residence. The surveillance deputies saw the suspect in a front window of his residence, therefore the team decided to proceed with the search warrant at the suspect's residence. They briefed at the Quartz Hill substation and returned to the suspect's residence within twenty to thirty minutes.

Sergeant Harris said based on his experience working Gang and Narcotics assignments, he was aware that "White Power" suspects can be more dangerous. He deployed Deputy Parkhurst with the shotgun and in the first position on the entry. He was aware of Deputy Parkhurst's combat experience as a Marine and was very comfortable with him using a shotgun.

Sergeant Harris was assigned to the third position on the entry team. Deputies Mesa and Parkhurst were assigned to "hot radio" traffic. He said there was no rear containment assigned on this particular warrant service due to a number of reasons such as: the suspect was an older, heavier guy who normally would not be apt to run or jump fences based on Sergeant Harris' experiences; the rear yard of the suspect's residence was a steep incline which would had made it difficult for him to run to the south; Sergeant Harris said the plan was to have his team in the front of the location to show more presence and have more man power just in case the suspect decided to fight; Sergeant Harris said the neighborhood was small, so if the suspect decided to run, they would've changed their tactics and contained the area; also, if the suspect did not comply at the time of entry, the team was going to port windows as a diversionary tactic and to hopefully make the suspect realize that the team was not leaving his residence.

Sergeant Harris said he thought about postponing this search warrant but it had been postponed a couple of weeks before. On this evening, the suspect was home alone and clearly visible in the front window of his residence. Sergeant Harris felt this would be to the team's advantage, therefore decided to proceed with the search warrant.

Sergeant Harris said as the team approached the target location, the suspect was in the front diningroom (northeast window). The suspect stood up when he heard the team identifying themselves. The suspect opened the interior wood door, saw the team, yelled "fuck you" and slammed the door. The suspect threw a chair and broke the northeast (kitchen) window where he was originally sitting.

After approximately one minute, the team breached the door and Sergeant Harris, Deputies Scott, Rissling, Mesa and Martinez cleared the location. The suspect had ran out of the back of the location.

Sergeant Harris then instructed the team to back out to the front of the location and contain it. Sergeant Harris instructed his team to request assistance and a unit with a stun bag (Refer to Sergeant Harris' transcribed audio recording/Dictaphone job #31839). Sergeant Harris said during an approximately eight minute time span, the suspect progressively escalated. He appeared more and more angry, was yelling various profanities and foaming at the mouth.

Deputies [redacted] and Gonzales gained access to the roof the residence and were able to keep a visual on the suspect in the rear yard. Deputy [redacted] communicated with the suspect in an attempt to get him to surrender. Deputy [redacted] provided updates of the suspect's location to Deputy Gonzales who in turn relayed the information to the rest of the team on the containment. At one point, the suspect moved to the rear yard, immediately [redacted] of his residence [redacted] Agave Street) and minutes later returned to his own residence.

Upon Field Deputy Ruiz' (113U) arrival with a stun bag, Sergeant Harris advised him of the situation, and formed an arrest team at the front of the suspect's residence just in case he suddenly exited. As this was occurring, the suspect re-entered his residence, entered the kitchen and grabbed two knives. Sergeant Harris, Deputies Parkhurst and Ruiz were outside positioned in front of the broken northeast (kitchen) window. The suspect refused commands to surrender, threw one knife at them and was subsequently shot. **(For further details see Sergeant Harris' transcribed interviews).**

> **IAB Note:** Sergeant Harris and Deputy Ruiz were positioned at the west corner of the northeast window. Deputy Ruiz attempted to get an angle on the suspect with the stun bag, but could not without placing himself in danger. Deputy Parkhurst was positioned at the east corner of the northeast window at the time of the shooting (Refer to **Exhibit D**, crime scene photographs, one depicting their positions).

> **IAB Note:** Since this incident, Sergeant Harris has assured that there are more less lethal weapons, as well as, AR-15 rifles assigned to special teams at Lancaster Station.

Deputy Ruiz

Deputy Ruiz was interviewed at Lancaster Station in the Captain's Conference Room by Sergeant Sonja Bracken and Sergeant Scott Graham on June 28, 2011.

Deputy Ruiz said he was working a two man unit (113U) with his partner Deputy Chad Hornig when he heard the assistance call and request for a stun bag at the location on Agave Street. As they arrived at the location, he retrieved the stun bag from the trunk of their patrol vehicle. He located Sergeant Harris and immediately went to him for instructions. He learned that the suspect was in a rear yard, possibly preparing to jump an east fence. He took cover behind one the fences and attempt to line up a stun bag shot on the suspect.

Deputy Ruiz said he could only see the upper half of the suspect's body, which presented a smaller target. He was concerned about striking the suspect in his head and was able to see that he did not have any weapons in his hands. At that point, he did not feel he had justifiable cause to use deadly force, so he did not fire the stun bag.

Deputy Ruiz said soon thereafter, the suspect re-entered his own residence. He, Sergeant Harris and other LANCAP deputies re-positioned themselves at the front of the suspect's residence. The suspect again closed the front wood door, just as Deputy Ruiz was attempting to line up a shot with the stun bag. He then heard someone yell that the suspect had armed himself with knives. He also heard Sergeant Harris instructing deputies not to enter the residence and giving orders to contain the location.

Deputy Ruiz positioned himself at the west corner of the broken northeast window and again tried to line up a stun bag shot. He saw the suspect holding shiny objects in his left hand and was in a throwing motion with his right hand, releasing a knife. Deputy Ruiz believed the knife was coming in his direction because he made eye contact with the suspect and felt he was focused on him. Fearing for his safety, he took cover and was not able to safely fire the stun bag. He then heard the knife fall to the floor and then a gunshot. He looked to his left and saw as Deputy Parkhurst was firing a shotgun in the direction of the suspect a second time.

Deputy Ruiz said he heard a lot of shouting during the time the suspect went into the kitchen but could not recall what was being said. He did not enter the location once the suspect went down. He took position and covered the main hallway inside the residence for a few minutes as LANCAP deputies entered. He saw LANCAP deputies administering first aid to the suspect. He then assisted in securing the scene. **(For further details see Deputy Ruiz' transcribed interviews).**

Deputy Mesa

Deputy Mesa was interviewed at Lancaster Station in the Captain's Conference Room by Sergeant Sonja Bracken and Sergeant Scott Graham on June 28, 2011.

Deputy Mesa conducted the briefings prior to the execution of the search warrant and was assigned to the fourth position. The team approached the target location, gave knock and notice, and the suspect slammed the wood door. It took some time for Deputies Scott and Grimes to access the residence. Once they were able to get the doors open, Deputy Mesa assisted with clearing the inside of the residence. Once the location was cleared, Deputy Mesa heard yelling outside that sounded as if they were coming from the side or rear yard. He and his partners exited the front of the residence and he proceeded to the west side.

Deputy Mesa heard Deputy [redacted] alerting team members that the suspect was sending his dog to attack deputies. Soon thereafter, Deputy Mesa encountered the dog on the west side of the residence. He shot the dog three times which did not seem to affect the dog, the dog still growled at him. He then tased the dog causing the dog to then run out of the yard, eastbound Agave Street. Deputy Mesa also heard some of the verbal interaction between the suspect and Deputy [redacted] Sergeant Harris' instructions and some radio traffic. He heard the suspect say, "It's a good day to die".

Deputy Mesa then heard Deputy [redacted] tell the team that the suspect was trying to jump over an east fence. Deputy Mesa re-positioned himself back at the front of the residence. The suspect soon ran back into his own residence and that is when heard his partners yelling that the suspect had a knife. At the time the suspect was shot, Deputy Mesa was positioned to the west of Deputy Ruiz, at the front door of the residence. He was not at an angle to see the suspect while he was in the kitchen.

A short time later, he saw Deputy Parkhurst fire the shotgun into the northeast kitchen window. He then followed Deputies Grimes and Scott into the residence and assisted Sergeant Harris in conducting another safety sweep of the residence. The suspect was down on the kitchen floor. Deputy Mesa saw Deputies Grimes and Scott move the weapons that were near the suspect (officer safety) and administer first aid on him. **(For further details see Deputy Mesa's transcribed interviews).**

> **IAB Note:** Deputy Gonzales took position on the roof with Deputy [redacted] to back him up. He saw and heard essentially the same as Deputy [redacted] **(For further details see Gonzales' transcribed interviews).**
>
> **IAB Note:** Deputies Scott (Pick) and Grimes (Ram) both saw and heard essentially the same as their team members as to the events leading up to the shooting of the suspect. They both had some experience using their respective entry tools. They both admitted there was a delay in gaining entry into the suspect's residence due to the close quarters and angle of the front door.
>
> Additionally Deputies Scott and Grimes were positioned at the front door of the residence immediately prior to the shooting. They could not see the suspect from their angle. Deputy Scott heard that the suspect had armed himself with knives. Both deputies saw Deputy Parkhurst fire the shotgun twice into the northeast window. They both administered first aid to the suspect once he was down. **(For further details see Deputies Scott's and Grimes' transcribed interviews).**

> **IAB Note:** Deputies Rissling and Martinez were not interviewed by Internal Affairs Bureau due to their minimal involvement. Their interview statements with Homicide Detectives were essentially the same as the other LANCAP team members. They were not direct witnesses to the shooting of the suspect. **(For further details see Deputies Rissling's and Martinez' transcribed Homicide interviews).**

CIVILIAN STATEMENTS

Witnesses [redacted] ([redacted]) and [redacted] (the suspect's [redacted] were both interviewed by Homicide investigators on December 24, 2010.

Witness [redacted]

Witness [redacted] was in his residence the night of this incident. He heard the suspect in his rear yard, in a verbal confrontation with deputies, and refusing to comply with their orders. He thought the suspect was going to enter his home. Fearing for his own safety, he ran across the street to a neighbors home until the incident was over. He did not see when the suspect was shot.

Witness [redacted] said he noticed that the suspect had been very agitated and paranoid over the previous months. He said the suspect was using, as well as selling methamphetamine from his residence. He said for several years, the suspect told him and other neighbors that he would not go back to prison. The suspect told the neighborhood that "he was not going back alive and that no man was gonna take him down." He said all the neighbors feared the suspect.

> **IAB Note:** A clear plastic baggie of methamphetamine was located in the suspect's pocket by the L.A. Coroner's office (Refer to **Exhibit A**, Homicide Book, page 56).

> **IAB Note:** Amphetamine and Methamphetamine were found in the suspect's body (Refer to **Exhibit A**, Homicide Book, Toxicology Report, page 154).

Witness [redacted]

Witness [redacted] said she moved out of the home that she shared with the suspect on Agave in May of 2010. She said she left because "he was crazy on drugs." The suspect became increasingly paranoid to the point where he had cameras installed in several areas of their residence.

On a previous occasion the suspect had even threatened her with a knife. The suspect told her that he was diagnosed bipolar, schizophrenic, paranoid, delusional and had an extremely violent temper, while he was in prison.

Witness [redacted] said the suspect also told her he would not go back to prison alive. He made comments to the effect that he would kill the police or they would kill him. She said he would never take his own life but he would resort to "suicide by cop."

Witness [redacted] denied that the suspect engaged in selling drugs or that he was a member of the Aryan Brotherhood Gang.

IAB Note: For further details see Witnesses [redacted] and [redacted] transcribed Homicide interviews.

IAB Note: During Homicide detectives interview with Witness [redacted] he said that the suspect possibly had some type of sensors or buzzers outside his garage area that alerted him to anyone's presence. Besides the stationary video cameras at the location, there was no evidence of any type of devices that would have alerted the suspect to the deputies presence that night.

IAB Note: Crime scene investigators noted the locations of three video cameras outside the suspect's residence (Refer to **Exhibit A**, Homicide Book page 44). The cameras were positioned to monitor the driveway and front walkway of the residence. The televison monitor associated with the cameras was located inside the residence, in the kitchen. It did not appear that it had recording or audio capabilities (Refer to **Exhibit A**, Homicide Book pages 49).

Detective Bednar

A telephonic interview with Major Crimes Detective Bednar was conducted by Sergeant Sonja Bracken on August 18, 2011.

Detective Bednar said he was informed by the Sheriff's Department's Narcotics Bureau that Suspect Barrett possibly had information about The Aryan Brotherhood and Nazi Low Riders Gangs. He said some time in the end of 2009, he met with the suspect once. Since then, he was not contacted by the suspect and never utilized him for any investigations.

Detective Bednar said he began receiving emails from the suspect in June 2010. The emails contained information about the suspect being upset about family issues and that he had a warrant out for his arrest. He did not perceive the suspect as a threat to law enforcement. If he determined that the suspect was a threat to law enforcement, he would have notified Lancaster Station, LANCAP Team, as well as Palmdale Station. He did not have any contact with the suspect from the date of the last email (November 5, 2010) through the date of this incident.

Detective Bednar was not aware that the LANCAP Team was going to conduct a search warrant at the suspect's residence.

SUSPECT STATEMENTS

None, suspect deceased.



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JACQUELYN LACEY • Chief Deputy District Attorney
PATRICK R. DIXON • Assistant District Attorney

JANICE L. MAURIZI • Director

May 23, 2011

Captain David Smith
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

Re: J.S.I.D. File # 11-0001
L.A.S.D. File # 010-27197-1181-013

Dear Captain Smith,

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the December 21, 2010, fatal shooting of Chris Barrett by Los Angeles County Sheriff's Deputy Paul Parkhurst. It is our conclusion that Deputy Parkhurst acted in lawful self-defense and defense of another.

The following analysis is based on reports prepared by the Los Angeles County Sheriff's Department (LASD), submitted to this office by Detective David Gunner, LASD Homicide Bureau. The District Attorney's Command Center was notified of the shooting on December 21, 2010, at approximately 7:11 p.m. The District Attorney Response Team (DART), comprised of Deputy District Attorney Fernando Guzman and District Attorney Senior Investigator Brandon Lenhart, responded and was given a briefing and a walk-through of the scene. Deputy Parkhurst provided a voluntary statement to investigators which was considered as part of this analysis.

FACTUAL ANALYSIS

On December 17, 2010, LASD Deputy Joseph Mesa obtained a search warrant for the residence of Chris Barrett in Quartz Hill, California.[1] Eight members of the LASD Lancaster Community Appreciation Program (LANCAP) assembled to serve the warrant on December 21, 2010. At approximately 5:45 p.m., the team arrived at Barrett's residence.

As deputies approached the front door, several of them observed Barrett sitting at a table in the kitchen area facing the front of the residence. Deputies announced that they had a search warrant and ordered Barrett to open the front door.

[1] The search warrant commanded the search for methamphetamine and narcotic paraphernalia.



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Barrett opened the front door, leaving the metal security door closed and locked. He yelled "Fuck You" at the deputies and slammed the front door. Deputy [redacted] broke two windows with his flashlight in order to distract Barrett. Deputies Christian Scott and Nathan Grimes used a pick and ram to breach the front security door.

Sergeant Randall Harris and Deputies Mesa, Scott and Grimes entered the residence and made their way to the rear, where they saw an open window. Harris could hear Barrett, who was now in the rear yard, saying "Fuck you. You are going to have to kill me or I will kill you."

Deputy [redacted] climbed to the top of a shed on the west side of the residence and made his way toward the rear. He heard Barrett in the rear yard saying "kill" and saw a dog running to the southwest corner of the residence.[2] [redacted] told Barrett to get his dog. Barrett replied "You are not gonna shoot my fucken dog."

[redacted] heard noises that led him to believe that Barrett was arming himself. He told Barrett several times to put his hands up and give up. Barrett responded with profanities each time.

As Deputies Mesa and Martinez broke through a fence and entered the rear yard, [redacted] warned them that there was a dog and that Barrett was armed. Barrett yelled "That's right motherfucker, I am armed." [redacted] engaged Barrett in conversation asking him to give up. Barrett stated "Go ahead and shoot me." [redacted] reminded Barrett that it was almost Christmas, and that he should give up. Barrett replied "This is a great time to die motherfucker."

As Mesa walked through the rear yard, Barrett's dog charged at him. Mesa shot the dog, firing three rounds from his service weapon.[3] Since the dog continued to move, Mesa fired his Taser at the dog.

Barrett climbed over the [redacted] of his yard into his [redacted] yard. There he entered his [redacted] shed. Deputies could hear loud noises coming from the shed. Sergeant Harris ordered a deputy to get the stun gun, to be used when Barrett exited the shed. Deputies repeatedly ordered Barrett to exit the shed with his hands up.

Eventually, Barrett exited the shed and headed back toward his residence. [redacted] pepper sprayed him from the roof. Barrett ignored the pepper spray and continued back into his yard. Bowser heard glass breaking and saw that Barrett was covered in blood. [redacted] requested that a stun gun or Taser be brought to his position. Barrett picked up a mop handle and said "Shoot me motherfuckers."

Believing that Barrett had returned to his residence, Parkhurst went from the front of the neighbors' house to the front of Barrett's house. Looking through the north kitchen window, Parkhurst saw Barrett in the kitchen facing him from ten to twelve feet away. Sergeant Harris and Deputy Ruiz were with Parkhurst at the window.

[2] The front of the residence faces north.
[3] At the necropsy one round was recovered from the dogs' body.

Parkhurst used his shotgun to clear some broken glass from the shattered window. Barrett picked up a chair and threw it toward the window. The chair struck a table in front of the window and a computer which was on the table. Barrett picked up two large butcher style knives, one in each hand.

Harris ordered Barrett to drop the knives. Barrett continued to yell obscenities and state that he was not going to give up. Barrett threw one of the knives at the deputies.[4] He reared back as if to throw the second knife when Parkhurst fired two shots from his shotgun, striking Barrett in the chest. Parkhurst feared for his life and the lives of Harris and Ruiz when he fired the shot.

Ruiz stated that Barrett had a "glazed" look on his face when he was throwing the knives. Harris and Parkhurst added that Barrett was foaming at the mouth. All of the deputies who were able to see Barrett opined that he appeared to be under the influence of drugs.

Involved Deputies' Statements

All of the deputies present at the scene were interviewed. Their statements were consistent in every material aspect.

Witness Statements

Deputies canvassed the neighborhood immediately following the incident and contacted 15 persons. Two of those interviewed saw and heard nothing. Thirteen persons heard gunshots and shouting. None of these individuals saw the shooting.

[redacted] heard four gunshots. He heard someone shout "Get on the ground motherfucker" followed by "Fuck you." The next sound he heard was sirens approaching.

[redacted] heard a commotion and saw a deputy on Barrett's roof. He heard deputies telling him to get down and give up. They told him that it was not worth getting hurt over. Barrett replied "I don't give a fuck it's a good day for dying." [redacted] went into his house and later heard two to three gunshots.

[redacted] stated that Barrett is known in the neighborhood as "second strike." He openly sold drugs and intimidated the neighbors. Barrett was known to be "crazy."

[redacted] lived next door to Barrett and owned the shed that Barrett entered. He heard the deputies telling Barrett to get down and give up, and Barrett responding with profanities. He also believed that Barrett was selling drugs.

In recent months Barrett was using a great deal of methamphetamine. He had become paranoid and his behavior was erratic. Barrett had a violent demeanor toward police and hated deputies.

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[4] The knife struck the chair which was lying on the table.



He told [redacted] that he was never going back to prison, stating "No man is going to take me."

[redacted] is Barrett's [redacted] They had been separated for approximately six months. She has a restraining order against him. She left him because he was "going crazy" and was constantly high on drugs. He had become extremely paranoid. Barrett was a heavy drinker who suffered from bipolar disorder and schizophrenia.

Barrett told her that he would kill any police officer who tried to arrest him. He stated that he could not kill himself. If he died it would be "suicide by cop."

Other Investigation

Immediately after Barrett was shot, Sergeant Harris observed two kitchen knives on the ground, one close to his left hand.[5] The knives were moved for the safety of deputies and medical personnel. At the scene investigators found a twelve inch kitchen knife on the ground, less than one foot from the front kitchen window.

While Barrett's body was still at the scene, Los Angeles County Coroner's Deputy Investigator Kim E. Pavek performed a search of his clothing. In the right pants pocket she found a small plastic bag containing a white powdery substance resembling methamphetamine.

Barrett's criminal record reveals several felony convictions and state prison commitments. He had two prior robbery convictions in Los Angeles County.

Autopsy Report

A post mortem examination was performed on Chris Barrett on December 23, 2010, by Doctor J. Daniel Augustine, Associate Deputy Medical Examiner. Barrett had a cluster of nine pellet entrance wounds in the upper anterior chest. There were two exit wounds in the right upper back. The wound direction was front to back, left to right, and slightly inferior.

No soot or searing was present on any of the wounds. Doctor Augustine ascribed the cause of death as shotgun wound of the chest.

Toxicology Report

Blood samples were collected from Chris Barrett during the autopsy. The blood samples were submitted to the Coroner's laboratory for analysis. On January 31, 2011, the toxicology report indicated Barrett's blood contained methamphetamine.

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[5] The second knife was close to the right side of Barrett's body.

CONCLUSION

California law permits the use of deadly force in self-defense or in defense of others if it reasonably appears to the person claiming the right of self-defense or the defense of others that he actually and reasonably believed he or others were in imminent danger of great bodily injury or death.

The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight... The calculus of reasonableness must embody allowance for the fact that police are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation. Graham v. Conner, (1989) 490 U.S. 386, 396-397.

The evidence examined in this investigation shows that Barrett was in possession of a substance resembling methamphetamine, while under the influence thereof. With his criminal record, it was likely that he would face a state prison commitment. He had stated to two witnesses that he would resist any attempts to arrest him.

On the date of the incident, deputies had ordered him to comply several times. Barrett repeatedly defied their requests, telling them that they would have to kill him. Sergeant Harris estimated that Barrett had eight to nine minutes to surrender before he was fatally shot.

When Barrett began throwing knives at the three deputies standing outside the kitchen window, it was reasonable for Parkhurst to believe that he and the others were in imminent danger of great bodily injury or death.

Based on our examination of the evidence, we conclude that Deputy Parkhurst acted in lawful self-defense and defense of another when deadly force was used against Chris Barrett. Therefore, we are closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

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c: Deputy Paul Parkhurst, #[redacted]

